

RESOLUTION NO. 2003-249

A RESOLUTION OF THE LODI CITY COUNCIL ESTABLISHING
HIRING GUIDELINES REGARDING EMPLOYEES OR
VOLUNTEERS WHO PERFORM SERVICES AT A PARK,
PLAYGROUND, SCHOOL FACILITY, RECREATIONAL CENTER,
OR BEACH IN A POSITION HAVING SUPERVISORY OR
DISCIPLINARY AUTHORITY OVER ANY MINOR

WHEREAS, it is in the best interest of the community that youth recreation programs are wholesome and safe havens for minors; and

WHEREAS, prior references to specific sections of Penal Code §11105.3 contained in Public Resources Code §5164 no longer exist in the current language of Public Resources Code §5164; and

WHEREAS, it is found that the prohibitions to employment or volunteering in recreation programs contained in Public Resources Code §5164 were in the best interest of the community and its youth recreation programs as they addressed legitimate health and welfare concerns relative to youth.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the following policy is adopted relative to employment or volunteering in youth recreation programs:

Policy

That City shall not hire a person for employment or hire a volunteer to perform services at a county or city or special district or school district operated park, playground, school facility, recreational center or beach used for recreational purposes, in a position having supervisory or disciplinary authority over any minors, if that person has a felony or misdemeanor conviction of any offense as follows; (all references are to California Penal Code):

- A. Sections 220, 261.5, 262, 273a, 273d, or 273.5, or any sex offense listed in Section 209, except for the offense specified in subdivision (d) of Section 243.4;
- B. Violation or attempted violation of Chapter 3 (commencing with Section 207), Sections 211 or 215, wherein it is charged and provided that the defendant personally used a deadly or dangerous weapon, as provided in subdivision (b) of section 12022, in the commission of that offense, Section 217.1, Chapter 8 (commencing with Section 240), and for a violation of any of the offenses specified in subdivision (c) of Section 667.5

This policy shall not apply to a misdemeanor conviction under paragraph B unless that person has a total of three or more misdemeanor or felony convictions specified in paragraphs A and B within the immediately preceding ten-year period.

Dated: December 17, 2003

I hereby certify that Resolution No. 2003-249 was passed and adopted by the Lodi City Council in a regular meeting held December 17, 2003, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

A handwritten signature in black ink, appearing to read "Susan J. Blackston", with a stylized flourish at the end.

SUSAN J. BLACKSTON
City Clerk